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ORAL ARGUMENT NOT SCHEDULED

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UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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Nos. 18-1114, 18-1118,  
18-1139, and 18-1162

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STATE OF CALIFORNIA, *ET AL.*,

PETITIONERS

*v.*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, *ET AL.*,

RESPONDENTS

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**UNOPPOSED MOTION OF LYFT, INC. TO FILE AS AMICUS  
CURIAE IN SUPPORT OF PETITIONERS**

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Jared P. Marx (No. 1008934)  
Samuel Walsh, *admission pending*

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*Counsel for Amicus Lyft, Inc.*

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## **UNOPPOSED MOTION OF LYFT, INC. TO FILE AS AMICUS CURIAE IN SUPPORT OF PETITIONERS**

Lyft, Inc. moves for the Court's leave to file as amicus in support of Petitioners, pursuant to Fed. R. App. Proc. 29 and Circuit Rule 29(a)(3). Petitioners have consented to this motion and Respondents have indicated that they take no position on it. Lyft attaches to this motion its proposed brief.

Lyft provides a rideshare platform that lets drivers and riders offer and take rides in drivers' vehicles. Lyft does not manufacture vehicles, but instead represents an industry that relies on efficient and low-greenhouse gas emitting vehicles to serve its commercial and environmental goals. As an economic matter, greater efficiency means less expensive rides, which benefits drivers, riders, and Lyft. From an environmental perspective, Lyft makes every Lyft ride carbon-neutral through purchased offsets, and is working to reduce its environmental footprint; Lyft needs efficient and electric vehicles to be widely and inexpensively available to meet those environmental goals.

Lyft is harmed by EPA's determination that the existing standards are "inappropriate," because that determination will make the efficient and electric vehicles that Lyft, its drivers, and its riders

rely on more expensive and less available than they otherwise would have been. Lyft therefore seeks leave to appear as amicus here to offer the Court its perspective on those issues.

Lyft's unique views are valuable because, unlike Petitioners and other amici, Lyft represents an industry that depends on increased availability of efficient and electric vehicles. Lyft's perspective should inform the Court's understanding of how EPA's reversal of the mid-term evaluation is negatively affecting forward-looking companies that rely on change in the auto industry.

### CONCLUSION

Lyft respectfully requests the Court grant its motion to appear as amicus in this matter.

Dated: February 14, 2019

Respectfully Submitted,

/s/ Jared P. Marx

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**CERTIFICATE OF NECESSITY OF SEPARATE AMICUS BRIEF  
PURSUANT TO CIRCUIT RULE 29(d)**

Counsel certifies pursuant to Circuit Rule 29(d) that a separate amicus brief by Lyft is necessary. Lyft is differently situated from all other amici supporting Petitioners, in that Lyft alone represents an industry that relies on the availability of efficient and electric vehicles for its economic and environmental goals. As such, Lyft is neither is the target of the relevant regulations nor does it supply or support the target industry. Instead, it depends on changes in that target industry to make inputs to Lyft's business more available and cheaper. That perspective is best addressed independently from other differently-situated amici.

February 14, 2019

/s/ Jared P. Marx

**CERTIFICATE OF SERVICE**

I certify that on February 14, 2019, the foregoing document was served on all parties or their counsel of record through the CM/ECF system.

February 14, 2019

/s/ Jared P. Marx